

**In the United States District Court  
For the Southern District of Georgia  
Brunswick Division**

JAMES EDWARD PHILLIPS,

Petitioner,

v.

ACTING WARDEN BURGOS,

Respondent.

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CIVIL ACTION NO.: 2:21-cv-89

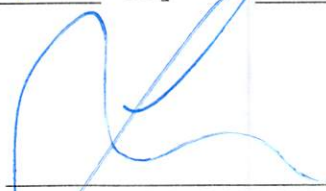
**ORDER**

After an independent and de novo review of the entire record, the Court concurs with the Magistrate Judge's Report and Recommendation. Dkt. No. 9. Petitioner James Phillips ("Phillips") did not file Objections to this Report and Recommendation.

Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court, **GRANTS** Respondent's Motion to Dismiss, **DISMISSES without prejudice** Phillips' 28 U.S.C. § 2241 Petition for Writ of Habeas Corpus based on his failure to exhaust his administrative remedies, and **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal. The Court **DENIES** Phillips in

*forma pauperis* status on appeal.

SO ORDERED, this 30 day of June, 2022.



HON. LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA